BROADWAY AND ANN STREET.

JAMES GORDON BENNETT, PROPRIETOR.

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THE HERALD READING ROOMS.

The HERALD calls attention to the fact that Messre. Eduard Saarbach & Co., the general agents of the paper in Germany, have opened the following Herald Reading Rooms in the principal cities in Germany. Each of these Reading Rooms is supplied with the leading American, English and German newspapers.

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56TH YEAR----NO. 45 AMUSEMENTS TO-DAY AND EVENING,

METROPOLITAN OPERA HOUSE-L'APRICAINE, 2 P. M. PROCTORS THEATRE-MEN AND WOMEN, 2 P. M.; 8:15 FOURTBENTH STREET THEATRE-BLUE JEANS, 2 P. M.; 8:15 P. M.

WINDSOR THEATRE-GRIMES' CELLAR DOOR, 2 P. M.; 8 BIJOU THEATRE-THE NORINEE, 2 P. M.; S:15 P. M. STAR THEATRE—MR. POTTER OF TEXAS, 2 P. M.; 8 P. M. BROADWAY THEATRE—Guido Ferranti, 2 P. M.; 8 P. M.

UNION SQUARE THEATRE-COUNTY FAIR, 2 P. M.; 8:15 COLUMBUS THEATRE-THE FARIR, 2 P. M.; 8:15 P. M. MADISON SQUARE THEATRE—SUNLIGHT AND SHADOW and APPER THOUGHTS, 2 P. M.; 8:30 P. M. DALY'S THEATRE-THE SCHOOL FOR SCANDAL, 2 P. M.; 8

GRAND OPERA HOUSE-AUST BRIDGET, 2 P. M.; 8 P. M. HARRIGAN'S THEATRE-REILLY AND THE 400, 2 P. M.; 8

NIBLO'S-THE TWO ORPHANS, 2 P. M.; 8 P. M. ACADEMY-THE OLD HOMESTEAD, 2 P. M.; S P. M. HERRMANN'S THEATRE-HERRMANN, 2 P. M.; 8:15 P.M.

PEOPLE'S THEATRE-A MILE & MINUTE, 2 P. M.; 8 HARLEM OFERA HOUSE-PRINCE AND PAUPER, 2 P. M.; 8:15 P. M. CASINO-Post Jonathan, 2 P. M.; 8:15 P. M.

LYCEUM THEATRE-THE OPEN GATE and NERVES, 2 P. M.: 8:15 P. M. STANDARD THE ATRE-THE DASKLER, 2 P. M.; 8:15 P. M. GARDEN THEATRE-LA TOSCA, 2 P. M.; 8 P. M. PALMER'S THEATRE-JOHN NEEDHAM'S DOUBLE-2 P.

AMBERG THEATRE-HANS IN GLUCK, 2 P. M.; IM

EDEN MUSEE-OTERO, 2 P. M.; S P. M. KOSTER & BIAL'S-Camundita, 2 P. M.: 8 P. M.
HUBER'S PALACE MUS., UM-Hourly performances. WORTH'S MUSEUM-Hourty performances. ACADEMY OF DESIGN-AMERICAN WATER COLOR SCIETY'S ANNUAL EXHIBITION. CHICKERING HALL-PACHEANN'S CHOPIN RECITAL 3

CYCLORAMA—BAITLE OF GETTYSBURG. TWENTY-SPACOND REGIMENT ARMORY-P. S. GIL-MORE'S TWENTS-SECOND REGIMENT BAND CONCERT, 8:30 P. M.

MOTT MEMORIAL HALL-DR BARALT'S LECTURE ON "THE RUSAIAN NOVEL." 11 A. M.

NEW YORK, SATURDAY, FEBRUARY 14, 1891.

TRIPLE SHEET.

This paper has the largest circulation in the

Notice is hereby given to the public that no person is authorized to solicit advertisements or subscriptions for this paper and that it employs no agents whatever.

HIGH WATER MARK. Circulation....190,500



Cable messages for all parts of Europe direct received at the company's branch office in the HERALD Building, corner of Broadway and

The weather to-day in New York and its vicinity (including points within thirty miles of the city) promises to be generally fair and slightly calder. To-morrow it promises to be generally warmer and from fair to partly cloudy, followed by increasing cloudiness.

SUMMARY OF THE NEWS.

The body of the young woman found murdered in Whitechapel has open identified.

Messrs, O'Brien and Dillon were taken to Kingstown, Iroland, where they were met without demonstration.

Stocks were exceedingly dull and heavy. Bonds were in less active demand. Prices were irregular. Admiral Porter is dead.

Free silver democrats in the West are disarpointed at Mr. Cleveland's letter, but still consider him the best candidate for the Presidency.

A strong case is making against Gibson, the secretary of the whiskey trust, who is charged with plotting to destroy the Shufeldt distillery in Chi-

Captain Killilea, of the Forty-seventh street

police station, was transferred to the 125th street station by the Police Commissioners. This is the result of the exposure by the Herand of Killilea's methods in the conduct of affairs in his precinct. Bank examiners are in charge of the books and assets of the American Loan and Trust Company, of No. 115 Broadway. A former clerk of the company,

one Ritch, made serious charges affecting the solvency of the concern before some of the directors. He afterward repudiated them, but it was deemed wisest to have the State Banking officials investigate the matter. imum) the solar fires have increased in

The inquiry of the Legislative Committee on Enumeration and Reapportionment continued with ex-Supervisor of the Census Murray still on the the stand. Superintendent Porter directed Murray not to answer questions save as an expert.

Robert Howard, head of the National Spinners' Association, has proposed to the owners of Clark's mills at Newark a plan by which the present strike may be settled. Another mob gathered around the mill, but the non-union men were kept out of sight and there was little violence.

Neves Print a paid advertisement as news matter. Let every advertisement appear as an advertisement-no sailing under false colors.-Charles A. Dana's Address to the Wisconsin Editorial Association, Milwaukee, July 24, 1888.

A STORY Is TOLD of an advertiser who presented himself at the New York Herald counter with a three thousand dollar roll as an offer for a half column advertisement with a good sized cut accompanying it. The "ad," was refused without even consulting Mr. Howland. There is a standing rule in the HEBALD office to never insert advertising cuts .- Exchange.

THE EXPENDITURES FOR PENSIONS for the year ending June 30, as now officially stated, amounted to \$109.357,534. In the previous year we paid \$87,644,779 11, while in the year before that we paid \$80,288,508 77. The cost of the German army, it may be interesting to note, is for this year estimated at \$91,726,293. Besides our pensions our army costs \$30,000,000.

What Is It!

By what name shall that be known which, on the 5th inst., President Harrison proclaimed had been done under his direction by Secretary Blaine and the Brazilian Minister at Washington? It has been spoken of as a treaty, but it is not a treaty, either in public law or under our constitution. A treaty is not a legislative act, but a contract between two nations, negotiated in a specified way, concluded, signed and ratified with prescribed formalities. To bind the United States, a treaty must be ratified by "twothirds of the Senators present," and if it requires legislation to execute it that legislation must be had or it is not a completed treaty. What, then, is the affair with Braz.l since it is not a treaty?

The document proclaimed by the President is not even signed by the Brazilian Minister or by any one. It is simply proclaimed that "the Envoy Extraordinary and Minister Plenipotentiary of Brazil at Washington has communicated to the Secretary of State the fact that in due reciprocity for and consideration of admission into the United S ates of America free of all duty of the articles enumerated in section 3 of said act, the government of Brazil has, by legal enactment, author zad the admission from and after April 1, 1891, into ad the established ports of entry of Brazil, free of all duty, whether national, State or municipal, of the articles or merchandise named in the following schedule, provided that the same be the product and manufacture of the United States of America."

And that on certain other articles proin the United States there NEW PARK THEATRE-A STRAIGHT TIP, 2 P. M.; 8:15 reduction of twenty-five per cent from the rates now levied by Brazil.

The pertinent part of the third section of the cdious McKinley law is this:- "That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose on and ofter the first day of J.nuary, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting, sugars, molasses, coffee, tea and hides, raw and uncured, or any of such articles, imposes duties or other exceptions upon the agricultural or other products of the United States, which in view of the free introduction of such sugar, molasses, coffee, tea and hides into the United States he may deem to be reciprocally unequal and unreasonable, he shall have the power, and it shall be his duty, to suspend by proclama tion to that effect the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected and paid upon sugar, molasses, coffee, tea and hides, the product of or exported from such designated country,

as follows." Then comes the schedule of duties.

the Secretary of State has given assurance to Brazil that this action of Brazil in granting exemption of duties to the produc s and manufactures of the United States of America is accepted as a due reciprocity for the | desirable that it should, for it would curtail action of Congress, as set forth in section 3 of said act.

And the President adds that he has "caused the above stated modifications of the tariff law of Brazil to be made public for the information of the citizens of the United S ates of America."

He names the affair "stated modifications of the tariff law of Brazil !" And he declares that he deems the duties thenceforth and thus to be levied by Brazil on the articles enumerated in the schedules of the proclamation will not be "reciprocally unequal and uureasonable."

What a queer business it is!

Neither the Senate nor Congress has anything to do with the arrangement, excepting that it is only to be in life during the existence of the iniquitous McKinley law by which Congress has surrendered all revenue coming from imported sugar, molasses, coffee and tea, and has empowered the President to squeeze any foreign government, in his or publisher. Indeed, an immense printing discretion, by levying certain duties on those articles coming to our ports from the ports The Newfoundland Legislature has upbraided of that government whenever he may fancy reprinting of the most valuable American

NEW YORK HERALD | England for not ratifying a reciprocity convention | the duties levied by that government on our | publications, and these reprints might be with the United States, and there is talk of annex- products are "reciprocally unequal and un- freely scattered over the United States and products are "reciprocally unequal and unreasonable," To-day President Harrison is satisfied with Brazilian levies, but to-morrow he may be dissatisfied. The next President may not at all be satisfied.

Into what a condition the McKinley law has put our foreign trade!

Periodic Changes in Sun and Earth. M. Tacchini, the Italian astronomer, and M. Marchand, of the Observatory of Lyons, have just presented to the Paris Academy independent but accordant results of their solar observations. It seems that since the end of 1889 (when there was a sun spot min-

In 1889 M. Marchand reports that there were only twenty-nine groups of spots, while in 1890 there were forty-three groups, and that the total surface of the latter was nearly twice as great as that of the former.

The methods hitherto employed to decide whether such changes affect the earth have been misleading. It by no means follows that years during which the sun's furnaces are burning with exceptional fierceness should be years of extremely high temperature over the earth's land masses. For the surplus solar heat in such years may be so largely absorbed by the earth's oceanic masses, which exceed those of land almost in the proportion of eight to three, that at our meteorological stations thermometers will still only register but a trifle more than the normal temperature. Moreover, when the sun is hottest, evaporation from the earth's water surfaces is so much in excess that the increased cloudiness makes our temperature means unusually low.

But when we compare the strongly contrasted springlike winter of 1889-90 and the rigorous winter of 1890-91 in Europe with the contemporaneous conditions of solar activity, we apparently get some important light on the question. In the light of the Hebald's discussion of these two winters, and especially of its editorials of January 3 and 29th ult. on the late intense frosts in Europe, it seems evident that the sun spot theory will soon yield most impertant clews to the prediction of abnormally severe and mild seasons. As we have previously shown, the great winter "cold waves" of the northern continents are due to navv. enormous upper currents of air forced out of the Southern Hemisphere by the sun's expansive force when he is south of the Equator, In the winter of 1889-90, when the solar fires were burning feebly, this expansive force was insufficient to create exceptionally large, cold-breeding anticyclones in the Northern Hemisphere. But, with the recent augmentation of solar activity recorded by Professors Tacchini and Marchand, this effect was produced on a scale sufficiently great to lock Europe and Asia in the prolonged grasp of the frost-

If when the sun spots are multiplying, as is now the case, the generally disturbed condition of the photosphere is, according to Professors Young and Langley, "necessarily accompanied by an increased radiation" of solar heat, the eccentricities of the recent seasons in America and Europe can be explained satisfactorily by the resulting variation in the volume and velocity of the great upper air current which comes out of the Southern Hemisphere, crosses the Equator and descends upon our northern continents with frost-breeding effect. In the winter of each hemisphere, Professor Ferrel shows, "the air of the higher strata flows from the warmer hemisphere to the colder one." This upper current sometimes announces its movement as far north as Lyons, France, by the deposit of the celebrated "red dust" or "blood rains," due to impalpable colored sand, which Humboldt 76 degrees, at Key West. saw rising into it from the valley of the Orinoco.

As poison in the blood permeates arteries, veins, nerves, brain and heart and specify brings paralysis or death, so does a debased or fluctuating currency permeate all the arteries of trade, paralyze all kinds of business and bring disaster to all classes of people. It is as impossible for commerce to flourish with such an instrument as it is for the human body to grow strong and vigorous with a deadiy poison lurking in the blood.—Secretary Window's Last Words.

SUPERINTENDENT PORTER has suddenly changed his tactics about the census inves-

A week ago he assumed that there was nothing to conceal and accordingly directed Supervisor Murray to tell the committee anything they wanted to know. That was candid, straightforward and honest, the position of an officer who feared no inquiry into his official methods.

But now Mr. Porter enjoins secreey upon his subordinate. It won't do, he evidently thinks, to have the work of his enumerators too closely scrutinized. That discrepancy of two hundred thousand between Porter's returns and the police count will hardly bear investigation.

Will this refusal tend to inspire popular confidence in the federal census? Hardly.

No International Copyright.

The adoption of the Sherman amendment Thereupen the President proclaims that to the Copyright bill yesterday means, for the present at least, the defeat of the movement for international copyright.

It is not probable that the bill can become a law with that amendment, and it is not instead of extend the protection now accorded to American authors and publishers. Indeed, it would undermine the existing system of domestic copyright.

To understand this it is only necessary to know that an author's copyright is not protected unless the unauthorized importation of foreign reprints of his book is prohibited as well as the unlicensed sale of an edition reprinted here. Such importation is prohibited by the statute now in force and always has been prohibited,

Should it be embodied in our law Senator Sherman's amendment would remove this prohibition and expressly allow the importation of foreign reprints of American-copyrighted books on payment of a tariff duty. What would be the practical effect of this?

The most popular book copyrighted in this country might be reprinted in Germany, sent here and sold in large numbers without the consent of the American author establishment might be set up anywhere on the other side of the Canadian line for the

freely scattered over the United States and sold here by simply paying the import duties.

Under such a law American copyright would become but an empty name and authors' rights but a shadow.

This sudden retirement of \$600,000,000 of gold, with the accompanying panie, would cause contraction and commercial disaster unparalleled in human experience; and our country walld at once step down to the silver basis, when there would be no longer any inducement for coinage, and silver dollars would sink to their builton value.—Secretary Windom's Last Words.

Admiral Porter's Death.

The death of Admiral Porter removes the last officer of the navy who attained flag rank and exercised flag command during the civil war. While only a commander in 1862 he acted as second in command to Farragut in the operations against New Orleans, and in the following year, after commanding the Mississippi squadron in the operations against Vicksburg, Port Hudson and other strong places on the river, he was jumped to the rank of rear admiral, dating from the fall of Vicksburg.

His share in the capture of Fort Fisher kept him prominently in public view, and his name will always be connected with the great work done by the navy during four years of war.

Of the four chief naval commanders of that time-Farragut, Dupont, Foote and Porter-the first and last named have been best known to the people, bearing to the navy in public estimation the relative position that Grant and Sherman bore to the army. It is inevitable that more or less they should be compared.

Alike in their success, they were peculiarly unlike in many of their personal characteristics. Farragut ranged over the whole field of details in his orders for battle, and when the fight was on was quite as much captain of the flagship as admiral of the fleet.

Porter was not less prescient in preparing for action, but his orders were based on general lines and left details to his captains.

Personally Farragut was a charming, lovable man, who, laying aside his quarter deck manner, would often entertain and instruct a youngster on the quarter deck in the early night watches with tales of the old

Porter, though perfectly courteous, was rather austere and distant, and even in his own home was always the admiral to any visiting subordinate.

Yet when the results of the despatches of these two admirals are compared it will be found that it was Porter who somehow succeeded in getting most of his lieutenants promoted.

The death of Admiral Porter comes at the moment of great change in the service of which he was the commander. It may properly be considered as marking the end of an era of noble and heroic achievement under old conditions and the beginning of a time of uncertainty and experiment with new ships, weapons and methods.

Probably before the swiftest ocean greyhound could land its silver cargo at New York the last gold dollar within reach would be safely hidden sway in private boxes and in the vaults of safe deposit companies, to be brought out only by a high premium for exportation.—Secretary Windom's Last Words.

PERSONAL INTELLIGENCE.

HERALD WEATHER FORECASTS .- A storm contre from the Pacific is slowly wending its way castward over Montana and Wyoming. It will probably affect this section to-morrow night. The depression moving from the southwest has been filled up. A cold anti-cyclone moving castwardly over the lake region will lower the temperature slightly in the northern parts of this section and in New England to-day. Temperature fell slightly in the United States yesterday; the chief minimum reported was 10 degrees below zero, Fahr.; the onief maximum, IN THIS CITY AND SUBURBAN DISTRICTS TO-DAY

FAIR, SLIGHTLY COLDER WEATHER WILL PROBABLY PRE VAIL, WITH LIGHT TO FERSH NORTHERLY TO NORTH-WESTERLY WINDS, FOLLOWED BY PARTIAL CLOUDINESS. In the Middle States to-day fair, slightly cooler weather and light northerly to northwesterly winds will prevail, with local partial cloudiness, and in New England to-day fair to partly cloudy, slightly colder weather and fresh to light northerly and westerly winds. On Sunday in this city and section and in New England slightly warmer, fair to partly cloudy weather will probably prevail, with light to fresh variable winds, becoming mostly southerly and easterly, followed by an increase of cloudiness, and by snow or rain in the western parts of this section, extending at night to the coasts, and on Monday partly cloudy weather, with no decided temperature changes, preceded by rain or snow. Steamers now leaving New York for Europe will have mostly light and fresh northwesterly and westerly breezes to the Banks, with little or no fog, and those leaving for southern ports fair weather to Hattera

TO SAINT VALENTINE. Dear patron saint of tender joys, To-day to praise thee it is mete That twice ten million girls and boys Should lay bright laurols at thy feet. For young and old thy story love, And one and all have often read Of how, thy faithfulness to prove,

Twas willed that thou shouldst lose thy head. And though we lightly seem to greet, O headless saint, thy natal day

Thou must admit that our gay feet Tread blithely o'er thy bitter way. For, meshed in Love's encircling net-Where we were lured by Cupid's art-Our execution day is set, And we must lose both head and heart!

THE 'VALENTIN DE CEUR. Violet-I gave him as good as he sent. Maude-How is that? Violet-Oh, it was a heart in both cases. MORE BLESSED.

More blessed to give than to receive—A comic valentine. General A. A. Caceres, Peruvien Minister to England and France, is at the Victoria Hotel. A SAD TALE.

A costly valentine he mailed unto his loved one But, ah! it never reached her, for he sent it "post-

Count Arco Valley, German Minister at Washington, is at the Albemarie Hotel. AT THE CLUR Cholly-Somebody had the very bad taste to send

me a comic valentine. Together-Did it have the picture of a monkey on

DATHER ROUGH He asked, "May I be your valentine!"
"No chromos, 'hanks," she said, "is
mine."

UNPLEASANT MAY. George-Stella sent me a hand painted valentine

May-indeed! That must be a new departure for her. She is very skillful at painting, but I never

knew her to try her art on hands before! Ex-Senator Withinm Pi kney White, of Maryland, and ex-Senator Nathaniei P. Hill, of Colorado, are at the Fifth Avenue Hotel. Ex-Congressman Stephen Sanford, of Amsterdam, N. Y., is from Albany.

at the St. James. Mr. William R. Hearst, of San Francisco, is at the Brunswick. Ex-Congressman John R. Buck, of Hartford, is at the Murray Hill. Colonel John C. Haskell, of South Carolina, and Mr. Arthur Sewall, of Maine, are at the New York. State Senators George Z. Erwin, C. P. Vedder, Nor-ton Chase, W. P. Richardson and G. S. Van Gorder,

are at the Metropole. NOT DUBING LENT.

Miss de Piscopal-Why, of course, I received no walentines: George Van Leer-Why "of course"?

Miss de Piscopal-Because St. Valentine had the bad taste to be born in Lent! A QUEER DISCOVERY.

A distinguished scientific person has found that South American revolutions always occur at a time when the sun spots are unusually numerous.—Eu-ropean Edition of the Herald. THE CONVENTIONAL VALENTINE. That double heart upon it Has made a heap of trouble; Despite his lovelorn sonnet

She fears his heart is double. EIGHTERN YEARS AGO, Flossic-I was papa's valentine eighteen years Belle-Is that so! Was he pleased?

Flossie-Why, of course. Belle-I didn't know; some people take offense A DAILY HINT FROM PARIS.



A FIVE O'CLOCK TEA DRESS. This stylish five o'clock tea dress is made of Pompelian red cloth, trimmed with astrakhan, and with astrakhan sleeves and collar.

VALENTINES GALORE. Miss Kansas'—The sockless Simpson. Governor Hill's-Wade Hampton's chair. Grover's-Pyrotechnic Ingalis' scalp. Patsey Divver's-His Justice piente. Colonel Bill Brown's-Restored barmony. Tom Reed's-The minority's blessing. Grandpa Hoar's-Crow forcement. Every body's-The HERALD. MONSENSE.

"Did you get any valentines?" he asked. "Yes," she replied. "One coarse, ugly thing for a cent and a beautiful satin one, with a scent-but I don't know who sent them."

"I wish," sighed the lover, as he counted his change, "that Valentine's Day came on the 20th of February." FEPLAINED.

Miss Filkins (coldly)-Your humor in sending that carlcature, Mr. Bond, was simply excruciat-Mr. Bond (confusedly)-I-I don't understand

Tommie Filkins (breaking in)-Oh, that's all right, Sis. I jest traded. My girl wanted a valentine and I thought yours suited her complexion better than the one I bought for a cent!

REDUCED TO THE RANKS.

CAPTAIN BARTLETT'S MODE OF APPOINTMENT

LEADS TO THOUBLE IN COMPANY D. There was an unexpected conclusion to the meeting held by Company D. Twenty-second regiment, last Tuesday evening, in which fisticuffs played a prominent part.

Before the drill had commenced Captain Franklin Bartlett had already appointed Private J. Kennedy as a corporal, and informed Corporal Banta that it was his intention to appoint him to fill a

After the drill, at half-past nine, the company adjourned to their sky parlor over the locker room and prepared to listen to the appointments. Be and prepared to listen to the appointments. Before the meeting was called to order Corporat Banta informed Captain Battiett that if he was to be under segment he desired to obtain the position through the suffrages of the company men, as had heretofore been the manner in which the "noncoms" were selected. Under the Military Code Captain Bartlett had the right to select his own men in stead of having them selected by bailots. In accordance with this provision of the Military Code Captain Bartlett proposed last Tuesday night to begin the innovation. Banta refused absolutely to take the appointment and requested that he be elected.

that the appearance close the new method became the topic of debate, and the majority upheld the Capitain. During the discussion the newly appointed corporal, Kennedy, made a stirring speech in favor of the method of ap-

ontiments.

At a short distance from Kennedy was Private
Well, who figured as a leader of the opposing faction, and who when Kennedy was concluding his
remarks suddenly interrupted and applied a vile

remarks suddenly interrupted and applied name to him.

Kennedy jumped forward, and with a right hander caught Weil under the chin. Weil fell like a log. The men gathered about Kennedy and Weil, pulling the former away from the scene and lifting Weil to his chair.

The fight completely unnerved Captain Bartlett, and when he looked around he saw Quartermaster Richardson and Corporais Banta and Van Houten ripping the chevrons from their arms, while declaring their intention of serving in their respective offices no longer under the present commandant.

tive offices no longer linder the present com-mandant.

Captain Bartlett immediately reduced the men to the ranks. Without further pariey order was ap-parently restored, and Captain Bartlett made these appointments:—Sergeant J. J. Marra, Corporal R. G. Butler, Corporal D. Campbell and Corporal George Lahr. When I visited the armory last night no one would discuss the subject. One man said, "I'm sorry the Harald has found out about the fraces. It's been kept very num."

It is not known what steps Captain Bartlett will take in the case of those who ripped off their stripes further than what he did Tuesday night— reducing them to the ranks.

GOVERNOR HILL SUSTAINED.

HIS DISEANDMENT OF COMPANY I, TWENTY-SECOND REGIMENT, UPHELD IT THE SU PREME COUNT. The action of Governor Hill, as commander-in-

chief of the National Guard, in disbanding Company I. Twenty-recond regiment, on October 10 last, has been upheld by the General Term of the Supreme Court. The proceedings were brought by

Supreme Court. The proceedings were brought by Captain John P. Leo for a writ of certiorari to review the action of the Governor.

Presiding Justice Van Brunt, in writing the opinion of the Court, holds that the arrogation by the Court of any such power as is claimed would be an invasion of the functions of another department of the government.

With regard to the contention that Captain Leo could not be removed unless by the Senate upon recommendation of the Governor the Court says that this provision has not been removed from his office, but simply relieved of his command.

It was intimated that the large discretionary powers granted to the Governor might be abused by him. Upon this point the Court writes that the presumption usually is that a public officer will perform every duty conscientiously.

THEY HAVE A SWEET JOR.

The State Senate Committee on General Laws. which is to insert its inquisitorial probe into the Sugar Trust, did not begin operations yester-

day, as the only member present at the Hotel Metropole was Senator hrwin, chairman of the committee.

He announced that the investigation would be started this morning, by which time Senators vedder, Coggeshall, Chase, Brown and Cantor, the other members of the committee, will have arrived from Albany.

OF THE TETRALOGY.

"Die Goetterdaemmerung" and Its Exponents at the Metropolitan.

BROOKLYN'S PHILHARMONIC.

A Varied Programme, Embracing a Novelty by Tsaikowsky and Saint-Saens' Second Violin Concerto.

METROPOLITAN OPERA HOUSE.—Dis Goetterdaemmerung, a music-drama in three acts. By Richard Wagner. Herr Heinrich Gudehus

Although a few gaps in the boxes may have been noticeable, the stalls and galleries of the Metropolitan Opera House were thronged last night when "Die Goetterdaemmerung" was given for the

first time this season. In most respects the performance compared far from favorably with those, we had had in the same house last year. The band, indeed, outdid itself, especially in the magnificent third act. It would have gladdened Wagner's heart to hear how the musicians played the "Funeral March:" how well they rendered all the poignant woe and mourning expressed in one of the noblest tributes ever paid to

Apart from a little want of vigor, too, the Hagen of Herr Fischer was satisfying alike to the ear and

a dead here in music.

The forest picture in the third act and the scene on the Rhine were not less striking than of old. Here we must halt, though.

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There was a reverse to the medal. It bore the figures of Herr Gudehus, the Siegfried; Frau Mielke, the Brunnhilde; Herr Luria, the Gunther, and interpreters of the three Rhine daughters.

These artists fell lamentably short of their tasks and of their predecessors in the parts assigned to them last night.

In the third act Herr Gudehus can hardly be said to have sung at all. His gesture, which was seldom imposing or herole, was accompanied by a faint vocal commentary, sometimes declaimed and sometimes murmured, and only occasionally not out of time and tune. The rhythm and expression in Siegfried's "reminiscence" were so changed that Herr Seidl himself seemed embarrassed.

Hagen killed Stogfried, but Siegfried murdered music. Which was the greater crime?

The Brunnhilde of Frau Mielke would have been feeble even if we had not been mentally contrasting it with others we have heard. The artist's voice was often lost in the deep richness and beauty of the orchestration, and the long frio at the close of the second act was made doubly tedious last night both by her inadequacy and Herr Luria's.

At the end of this act, however, the principals came forward in response to the liberal applause bestowed on—Wagner and Herr Seidl.

The performance was a good test of the strength and weakness of the band and singers. The band stood the ordeal. But not the singers.

FOURTH BROOKLYN PHILHARMONIC. The programme offered by Mr. Thomas at the Brooklyn Philharmonic rehearsal yesterday afternoon, in the Brooklyn Academy of Music, was a well balanced combination of well known Mozart iana, new fantastic, bizarre music by Tschaikowsky, dramatic symphonic work by Berlioz, ex-

owsey, dramatic symphonic work by Beriloz, ex-quisite strains from Saint-Saèns, and a succession of confusing variations by Brahms.

The novelty of the concert was the Tschaikewsky overture fantasic, "Hamlet," a brilliant piece of orchestral scoring, with ampie opportunities for the reeds, the horns, the strings—all of the re-sources of the modern orchestra—each in turn and all together, in martial, plaintive, sad and joyous strains, curiously wearisome and painfully unin-telligible.

Miss Maud Powell made much of the solo music

Miss Maud Powell made much of the solo music in Saint-Saëns' concerto No. 2, being particularly expressive and impressive in her interpretation of the second movement (andants expressive). She was loudly applauded at the conclusion of each movement, and was twice recalled after she had left the stage.

Mozert's graceful G minor symphony was daintily treated by the orchestra and was a genuine rlessure. Brahm's variations of one of Haydn's distribution for brass instruments—the "Chorale St. Antoni"—is so intricate a bit of orchestral lace work that it requires more perfect exhibition than that given even by the Brooklyn Philasrmonic orchestrat to make the pattern discernible and pretty. But the Berllox music—the schezo and ball scene from the dramatic symphony, "Romeo and Juliet'—well nigh played itself, and gave the auditors a delightful bonna bouche to carry home with them.

ANOTHER CARRI CONCERT. presented themselves in Chickering Hall in a programme of violin and plano music, interspersed with vocal soil by Miss Annie See, contraite, and assistance at the organ by Mr. Hugo Bialla.

A large crowd of patient listeners remained in the hall until the programme was finished.

SHE OBJECTS TO TIGHTS. Manager Charles Frohman and Miss Lila Vane, the actress, just at present seem to be very much at odds, and all over the question of whether the lady shall or shall not wear tights in the production of "All the Comforts of Home," which is to be

tion of "All the Comforts of Home," which is to be given at Herrmann's Theatre on Thursday.

Some time ago aft. Frohman engaged Miss Vane, and in casting Mr. Gillette's comedy a few days ago he assigned the part of the actress in the play to Miss Vane. This part calls for tights, and when Miss Vane heard of it she was very angry.

She immediately called upon Mr. Frohman and told him she would not appear in tights; that she had never appeared in tights in all her life, and that she did not propose to do so now. Mr. Frohman heartlessly said he couldn't help that and that he could not alter the casting of the play. Aadso the matter remains at present.

Mr. Frohman denied last night that he had made overtures to Miss Sadie Martinot to accept the part.

MANAGER MACK GREETS FRIENDS. Mr. Joseph Mack, the well known theatrical manager, who was reported to be hopelessly insane everal months ago, was around among his friends on upper Broadway last night, apparently in the best of health. Mr. Mack said that he had entirely

recovered from his illness, and was feeling good and strong. He said that he was thankful to his friends for their kindness during his illness, and especially to Mr. H. C. Miner, who did all he could to make him comfortable while he was ill. He spoke rationally and his mind seemed perfectly clear. STAGE NOTES.

A benefit was given yesterday afternoon at the Hariem Theatre to the widow of the late ex-Assemblyman John McManus. The programme was a variety one, and the receipts amounted to over \$4,000. A number of well known politicians man-

aged the benefit, A play by Mr. Augustus Thomas has been read to the members of the Madison Square Theatre company. The play pictures events twenty-five years after the war, and is said to lean a little more toward the South than the previous plays have

that dealt with the unpleasantness. Arrangements have been made for the presentation at the Garden Theatre at the close of the Bernhardt engagement of a play entitled "Love and War," which is an adaptation by Mr. C. Haddon Chambers of "Devant l'Ennemi," by Paul Chartoni. The play will be produced under the management of Mr. James Wallace, whose property

> AN AGED ACTOR DEAD. IBY TELEGRAPH TO THE HERADD.

Mr. Arthur Dacre and Mrs. Berlan Gibbs.

The company will include Miss Amy Roselle.

McCabe, pioneer actor and theatrical agent, well known to professionals throughout the United States, died here to-day, aged eighty-three years and six months.

San Francisco, Cal., Feb. 13, 1891 .- John H.

MR. HAGGIN MUCH IMPROVED.

Ben Ali Haggin, the turiman, who was dangerously ill with an attack of nervous, prostration, was considerably improved in condition last night. His physiciaus now think he is out of dan-ger. Mr. J. B. Haggin, his father, is on his way east from San Francisco, and will probably arrive in this city to-morrow.